

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

**NOTICE OF PROPOSED ORDER APPROVING
THE STIPULATION MODIFYING DEADLINE FOR
THE OFFICIAL COMMITTEE OF RETIREES
TO FILE A SUPPLEMENTAL BRIEF IN SUPPORT OF CONFIRMATION**

PLEASE TAKE NOTICE OF THE FOLLOWING:

The Official Committee of Retirees of the City of Detroit, Michigan (the “Committee”), has filed a proposed order approving a stipulation with the City of Detroit for the limited purpose of extending its deadline to file a supplemental response brief to a date on or before August 27, 2014, attached hereto as Exhibit 1.

Dated: August 15, 2014

Respectfully submitted,

By: /s/ Carole Neville

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EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re
CITY OF DETROIT, MICHIGAN,
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Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

**ORDER APPROVING THE STIPULATION MODIFYING THE DEADLINE FOR
OFFICIAL COMMITTEE OF RETIREES TO FILE ITS SUPPLEMENTAL BRIEF IN
SUPPORT OF CONFIRMATION OF THE
CITY'S PLAN FOR THE ADJUSTMENT OF DEBTS**

The Stipulation Modifying Deadline for the Official Committee of Retirees, To File Its Supplemental Brief in Support of Confirmation of the City's Plan for the Adjustment of Debts (the "Stipulation"), attached hereto as **Exhibit A**, having been entered into by the City of Detroit and the Official Committee of Retirees appointed in the above-captioned chapter 9 case, the Court having reviewed the Stipulation; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Stipulation is APPROVED.

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

**STIPULATION MODIFYING DEADLINE FOR
THE OFFICIAL COMMITTEE OF RETIREES TO FILE
ITS SUPPLEMENTAL BRIEF IN SUPPORT OF CONFIRMATION
OF THE CITY'S PLAN FOR THE ADJUSTMENT OF DEBTS**

This Stipulation is made by and among the City of Detroit (the "City") on the one hand and, on the other, the Official Committee of Retirees appointed in the above-captioned Chapter 9 case (the "Retiree Committee") on the other. The Committee and the City are collectively referred to herein as the "Parties". By and through each of their undersigned counsel, the Parties have reached an agreement with respect to, and request the entry of an order approving, the following:

RECITALS

A. The City has reached agreements and an agreement in principle with the Committee regarding the treatment of "Pension Claims" and/or "OPEB Claims" (as such terms are defined in the Corrected Fifth Amended Plan for the Adjustment of Debts of the City of Detroit (July 29, 2014) (Docket No.6379) (the "Plan"))¹ as described in the Plan and/or the Disclosure Statement, provided that (1) both Classes 10 and 11 vote to accept the Plan (and, with respect to certain of the Non-City Parties, Class 12); and (2) the funding contemplated by the State Contribution Agreement and the DIA Settlement is actually committed, subject to the

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Plan, the Scheduling Orders or in the June Stipulation (defined below).

fulfillment of the conditions that accompany such funding (the “Funding Commitments”). Nothing herein is intended to alter, amend, or expand those agreements or agreements in principle.

B. The Parties executed a stipulation dated May 9, 2014 (the “Original Stipulation”) that modified certain deadlines established by this Court’s Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment (Docket No. 4202) (the “Fourth Amended Scheduling Order”). The Original Stipulation was approved by Order of the Court entered on May 9, 2014 (Docket No. 4587). The Original Stipulation contained dates for the Committee to file and serve various papers and pleadings, including objections to confirmation and expert reports, which dates varied depending on certain contingencies, namely (a) the “Funding Commitments” and (b) Classes 10, 11 and 12 support for the Plan.

C. On June 9, 2014, the Court entered its Fifth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment (Docket No. 5259) (the “Fifth Amended Scheduling Order”).

D. Pursuant to the First Amended Stipulation Modifying Certain Plan Discovery and Pleading Deadlines for Certain Non-Debtor Parties filed on June 20, 2014 [Docket No. 5473] (the “June Stipulation”), the Parties agreed that if on or before July 21, 2014, a tally of votes was filed in the Court showing that (a) Classes 10, 11, and 12 have voted to accept the Plan and (b) the Plan has not been materially modified to the detriment of Holders of Claims in Class 10, 11, or 12, then the Committee may file in Court its brief supporting confirmation on June 22, 2014, among other pleadings and reports. The Court entered an Order approving the Stipulation on

June 20, 2014 [Docket No. 5482]. The Committee has complied with the dates for filing and/or serving its expert reports and witness lists.

E. Voting on acceptance or rejection of the Plan by all creditor classes has been reported. Although Classes 10, 11 and 12 accepted the Plan, certain unsecured creditor classes have rejected the Plan. In addition, the City filed its Corrected Fifth Amended Plan on July 29, 2014. [Dkt. No.6379]. The Committee filed its brief in support of confirmation of the Plan on August 4, 2014.

F. Thereafter, certain creditors have filed extensive supplemental objections to the Plan and in particular, to the treatment of retirees under the Plan. In addition, the Court entered its Eighth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment, which extends the City's time to reply to the supplemental objections to August 27, 2014.[Dkt. No.6699].

G. The Committee has requested a brief additional time to file a supplemental brief in support of confirmation of the Plan in order to properly address new issues that have been raised by creditors and other parties with respect to the treatment of retiree claims and the circumstances surrounding the Committee's agreements with the City.

H. In light of the above circumstances, the Parties have agreed to seek a revision of the deadline set forth in their prior Stipulations to extend to the Committee the opportunity to file a reply on August 27, 2014 to any supplemental objections to the treatment of retiree claims.

STIPULATION

NOW, THEREFORE, it is hereby stipulated and agreed by and among the Parties, through their undersigned counsel:

1. The Committee may file and serve its brief in response to supplemental objections that have been asserted against the treatment of retiree claims on or before August 27, 2014

2. The provisions of the prior Amended Scheduling Orders and the June Stipulation remain in full force and effect, except as modified by this Stipulation.

Dated: August 15, 2014

Respectfully submitted,

/s/ Carole Neville

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Attorneys for the Retiree Committee

Attorneys for the City of Detroit

CERTIFICATE OF SERVICE

I, Carole, hereby certify that the foregoing document was filed and served via the Court's electronic case filing and noticing system on August 15, 2014.

By: /s/ Carole Neville
Carole Neville